

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ELSMERE PARK CLUB, L.P.,
a Delaware limited partnership,

Plaintiff,

v.

TOWN OF ELSMERE, a Delaware
municipal corporation, ELLIS
BLOMQUIST, EUGENE BONEKER,
and JOHN GILES,

Defendants.

Civil Action No. 04-1321 (SLR)

ORDER

WHEREAS, the Supplemental Report of Larry W. Johnson (the "Supplemental Report") has been submitted after the expiration of all relevant deadlines set forth in the Stipulated Amended Scheduling Order of June 13, 2005; and

WHEREAS, counsel for Defendants Town of Elsmere, Ellis Blomquist, Eugene Boneker and John Giles have filed a motion to strike the Supplemental Report;

NOW THEREFORE, IT IS HEREBY ORDERED that the Supplemental Report is stricken in its entirety and all references thereto are excluded from introduction into evidence in the above-captioned proceeding.

Honorable Sue L. Robinson
United States District Judge